

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

U.S. DISTRICT COURT  
DISTRICT OF N.H.  
FILED

United States of America,  
Plaintiff,

2009 JUL -2 A 11: 39

V.

Criminal No. 02-147-01-SM

Darren Franceski,  
Defendant,

and

PaySource, Inc.,  
Garnishee.

AMENDED FINAL ORDER OF CONTINUING GARNISHMENT

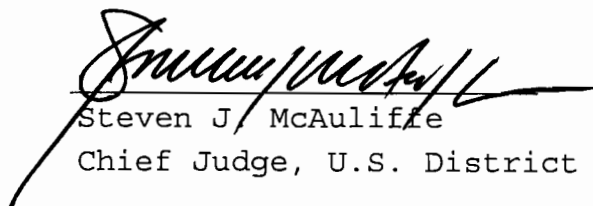
On February 27, 2009, a Writ of Continuing Garnishment and Clerk's Notice were issued in the above-captioned action by this Court. The Garnishee was served with copies of the Application, Clerk's Notice and Writ of Continuing Garnishment on March 9, 2009, and the Defendant was served on March 17, 2009. Garnishee filed an Answer on March 19, 2009, stating that at the time of service of the Writ, it had in its possession, custody or control, personal property, in the form of non-exempt disposable earnings in the semi-monthly amount of \$869.81, belonging to and due defendant, Darren Franceski. Pursuant to 28 U.S.C. § 3202(d), Defendant had twenty (20) days to request a hearing after receiving the Notice and Writ. Defendant failed to request a hearing within the time allowed and on April 13, 2009, it was ordered that Garnishee pay 25% of the Defendant's semi-monthly non-exempt disposable earnings (earnings remaining after all deductions required by law have been withheld) from March 9, 2009, and thereafter, to plaintiff and continue said payments until the debt to plaintiff is paid in full or until the Garnishee no longer has possession, custody or control of any property belonging to the Defendant or until further Order of this Court. Defendant's financial circumstances have changed and such circumstances have been fully evaluated by the United States Attorney's Office.

Additionally, Defendant has waived his right to a hearing regarding the garnishment of his ING and USB investment accounts. The terms of this agreement have been assented to by the United States Attorney's Office for the district of New Hampshire, therefore it is ORDERED that the Garnishee pay 15% or \$500.00 of the Defendant's semi-monthly non-exempt disposable earnings (earnings remaining after all deductions required by law have been withheld), whichever is the larger amount from June 22, 2009 and thereafter, to plaintiff and continue said payments until the debt to plaintiff is paid in full or until the Garnishee no longer has possession, custody or control of any property belonging to the Defendant or until further Order of this Court.

Said payments shall be made payable to Clerk, U.S. District Court and sent to U.S. District Court, 55 Pleasant Street, Room 110, Concord, NH 03301.

IT IS FURTHER ORDERED, that Defendant shall keep the United States Attorney's Office currently informed, in writing, of any change in his employment, place of residence, or telephone number. Defendant shall provide such information to the United States Attorney's Office, 53 Pleasant Street, 4<sup>th</sup> Floor, Concord, NH 03301.

So Ordered. This 2nd day of July, 2009.

  
Steven J. McAuliffe  
Chief Judge, U.S. District Court

cc: U.S. Attorney's Office  
Darren Franceski  
PaySource, Inc.